

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

RICHARD LAMAR CARTER
GEORGE HOWELL
VERNON CHARLES SMITH
GLORIA BUTLER
DANNY KIRKLAND
ROBERT ROLLINS

Plaintiffs,

v.

CSX TRANSPORTATION, INC.,

Defendant.

CIVIL ACTION NO.: CV590-276
CV590-273
CV590-278
CV591-005
CV591-019
CV597-076

ORDER

Defendant has filed Objections to the testimony of Richard A. Lemen, Ph.D. (Carter doc. 141.) Defendant's objections are based on the assertion that Dr. Lemen proposes to testify with regard to areas outside of his areas of expertise. The Court presumes that the Plaintiffs intend to have Dr. Lemen testify live at trial. Defendant's objection is **sustained**. Dr. Lemen will not be allowed to testify as to matters outside of his areas of expertise. However, the Court can not, at this time, determine the admissibility of specific questions which may be posed to Dr. Lemen at trial.

SO ORDERED, this 9th day of December, 2005.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE